



2023 Legislative Agenda

Climate

Overview: In June 2019, NY State enacted into law the Climate Leadership and Community Protection Act. This law requires that by 2030, there be a 40% reduction in greenhouse gas emissions and that at least 70% of electric be produced through renewable energy. Then in January 2023, the Climate Action Council issued a Scoping Plan. These two documents, provide the parameters for legislation needed to meet the requirements of the Climate Leadership and Protection Act.

Theological/Anti-Racist Reflection: Pope Francis' 2015 encyclical letter, *Laudato Si': On the Care for Our Common Home* provides all people of faith and good will with a moral basis for acting energetically to mitigate the abysmal climate crisis. Francis sees creation as a glimpse of God's own infinite beauty and goodness and teaches that we are called to live in communion with God humanity and all living creatures. Francis emphasizes that all creatures are interconnected and that "strategies for a solution demand an integrated approach to combating poverty, restoring dignity to the excluded, and at the same time protecting nature. Both everyday experience and scientific research show that the gravest effects of all attacks on the environment are suffered by the poorest."

Many of our most underserved residents in New York reside in communities of color which bear a disproportionate burden of air pollution thanks to decades of racist policies such as redlining. Tabitha Wilson of Albany's South End, reported: "I'm sick of people who look like me, people who grew up where I grew up, being on the receiving end of bad policy and greed, breathing polluted air, drinking tainted water and being exposed to toxic fields and chemicals, giving our babies asthma and our elders cancer, destroying our ecosystem and killing off the little biodiversity we have."¹

¹ <https://spectrumlocalnews.com/nys/central-ny/politics/2022/11/17/advocates--lawmakers-push-for-billions-in-funding-to-fight-climate-change>

S 2129 A 3351	Climate Change Superfund Act	Sen. Kruegar Asm. Dinowitz
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The Issue

- The science is irrefutable. The burning of fossil fuels has resulted in significant negative environmental impact to the air, land and waterways in New York State. Some of these effects have been seen and experienced by many.
- This is the case with 2012 Hurricane Sandy which cost NY State \$32 billion.² Hurricane Sandy is one of many seismic and deadly weather events that has impacted NY.
- Most recently the December 2022 snow blizzard in Buffalo resulted in the deaths of nearly 40 New Yorkers.
- One forecast is that New York will pay \$10 billion per year to deal with the effects of climate change by the year 2050. The U.S. Army Corps of Engineers estimates it will cost \$52 billion to protect the New York Harbor from the impacts of climate change.³

Recommendation

Support the **Climate Change Superfund Act (S 2129/ A3351)** which requires that companies which have contributed significantly, between 2000 and 2018, to the buildup of climate-warming greenhouse gases in the atmosphere would be assessed \$3 billion annually over the span of 25 years to offset the climate damages incurred by the state. Furthermore, the bill requires that an independent evaluation be conducted of the program. Polluters will pay a fee based on their share of past greenhouse gas emissions. The fund will support resilience and community protection programs such as,

- Massive statewide upgrades to roads and bridges, subways and transit systems
- Upgrades to storm water drainage and sewage treatment
- Respond to increased environmental and public health threats, such as heat waves, air and water pollution.

S03389	Stop Climate Polluter Handouts Act	Sen. Krueger Asm. Kelles
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In process of being introduced IN Assembly. Need Assembly #s. This is formerly:
The Fossil Fuel Subsidies Act

² <https://www.politico.com/story/2012/11/cuomo-sandy-cost-ny-nyc-32b-in-damage-and-loss-084256>

³ <https://spectrumlocalnews.com/nys/central-ny/politics/2022/11/17/advocates--lawmakers-push-for-billions-in-funding-to-fight-climate-change>

The Issue

While New York State gives away hundreds of millions of dollars in tax giveaways each year to encourage the use of fossil fuels and “New York State annually forgoes a total of around \$1.5 billion in revenue through fossil fuel related tax expenditures.”⁴ This action hinders New York’s progress toward the fulfillment of its goals in the 2019 Climate Leadership and Protection Act. New York needs to align “the state’s tax policy with the goals of the Climate Leadership and Community Protection Act, which passed in 2019.”⁵

Recommendation

Enact the **End Climate Polluters Handouts Act** which:

- Eliminates most egregious and nonessential subsidies to the fossil fuel industry;
- Eliminates over \$330 million in fossil fuel subsidies from the NYS Tax Code:
- \$118 million in exemptions for airline fuels;
- \$89 million in exemptions for fossil fuels industry research and development;
- \$65 million in exemptions for petroleum, such as butane, ethane and propane.

S0562 A0920	All-Electric New Buildings Act:	Sen. Kavanaugh Asm. Gallagher
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The Issue

In New York State, buildings account for 32% of greenhouse gas emissions. In a letter to Governor Hochul, 200 environmental organizations, representing tens of thousands of New York residents stated that “New Yorkers face an energy affordability crisis exacerbated by fossil fuel price increases and volatility, aging housing stock, and burgeoning costs of gas infrastructure. In particular, Black, Indigenous, and New Yorkers of color have experienced decades of community harm from redlining, gentrification, and inequitable access to home energy improvements. This legacy manifests in deferred maintenance, environmental health hazards, and energy-inefficient buildings. Although there are some helpful state and federal programs, New York does not offer an easily accessible, comprehensive package of programs and policies to address these challenges, and many residents and building owners are unable to navigate the disaggregated programs that do exist.”⁶ NYSCOC echoes these convictions.

Recommendation

⁴ <https://www.nysenate.gov/newsroom/press-releases/liz-krueger/senator-krueger-introduces-bill-repeal-fossil-fuel-related-tax>

⁵ Ibid.

⁶ <https://spectrumlocalnews.com/nys/central-ny/politics/2022/12/06/hundreds-push-hochul-to-electrify-new-buildings-in-executive-budget-proposal>

Enact **All-Electric Buildings Act (S 562A/A920A)** which:

- Requires new buildings be all electric, starting with smaller buildings in 2024 and larger buildings (7 floors or higher) by 2027.
- Adopts advanced codes for efficient, all-electric and resilient new building construction on a timeframe to substantially reduce GHG emissions.
- Represents a common-sense first-step strategy for decarbonizing buildings
- Helps New Yorkers lower their energy costs.

S02016 A04592	NY HEAT (Home Energy Affordable Transition Act)	Sen. Krueger Asm. Fahy
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The Issue

A significant expense to both individuals and families as well as to the environment is the energy which is used for heating, cooking and providing for hot water. These uses of this energy account for about 33% of greenhouse gas emissions each year.⁷. In order to meet the requirements of the Climate Leadership and Community Protection Act, the State of New York desperately needs a statewide gas service transition plan that will aid individuals and families.

Recommendation

Support the **NY HEAT (Home Energy Transition Act)**

- Aligns utility regulation with state climate justice and emission reduction targets;
- Repeals provisions relating to continuation of gas service;
- Repeals provisions relating to the sale of indigenous natural gas for generation of electricity.

S00899 A01101	Teachers' Fossil Fuel Divestment Act	Sen. Jabari Brisport Asm. Anna Kelles
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The Issue

In a letter to **Thomas K. Lee**, Executive Director & Chief Investment Officer of the New York State Teachers Retirement System, New York State faith leaders provide the

⁷ <https://www.nysenate.gov/newsroom/press-releases/liz-krueger/krueger-may-fahy-introduce-gas-transition-affordable-energy-act#:~:text=The%20Gas%20Transition%20%26%20Affordable%20Energy%20Act%20will%20give%20the%20Public,justice%20and%20emission%20reduction%20mandates.>

rational for NY State divesting the NY State Teachers to divest those of its resources which pertain to fossil fuels:⁸

- "The New York State Teachers Retirement System (NYSTRS) maintains an estimated \$4.5 billion in investments in the fossil fuel industry at a time when it has become abundantly clear that this industry is causing climate change and has known for decades that its activities were warming our planet.
- Divestment is an act of leadership. When NYSTRS divests it will raise public consciousness about the severity of climate change and inspire other institutions to divest. It will also be a message to the rest of the country and the rest of the world that institutions can make a difference by taking a moral stand.
- Not only is divestment a moral imperative, but it is also a financial one. The fossil fuel industry is poised to suffer devastating financial losses. Virtually every country in the world has committed to replacing fossil fuels with renewable energy sources. The resulting laws and policies will inevitably cause a decline in the value of fossil fuels investments and risk the financial stability of the retirement fund that so many New York teachers depend on."

Recommendation

Establish the **Teachers' Fossil Fuel Divestment Act (S00899/A01101)** which requires

- the New York state teachers' retirement system to divest the retirement system of any stocks, securities, equities, assets, or other obligations of corporations or companies included on an exclusion list of coal producers and oil and gas producers.
- Allow our teachers, still serving and those retired, to teach their most powerful lesson: *At this point in the climate crisis, delay is not an option, the solution is clear – NYSTRS needs to stop investing in fossil fuels that are driving climate change.*⁹

S4134 A0279	NY State Build Public Renewables Act	Sen. Parker Asm. Carroll
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The Issue

"New York still gets only 5% of its electricity from wind and solar, and 29% from all renewables including hydropower. [New York does] not have enough renewable

⁸ Letter to **Thomas K. Lee**, Executive Director & Chief Investment Officer of the New York State Teachers Retirement System from New York State Faith Leaders calling for divestment from fossil fuels:

⁹ Ibid.

projects planned to meet the CLCPA's mandate of 70% renewable energy by 2030, and several planned projects have already been canceled due to inflation and changing market conditions. Fossil fuel prices are rising far above the cost of renewables, millions of New Yorkers cannot afford their utility bills, and there is currently no plan for a just transition to help fossil fuel workers transition to green jobs.”¹⁰

Recommendation

Enact the **NY State Build Public Renewables Act (S4134/A0279)** which:

- Requires the New York power authority to provide only renewable energy and power to customers;
- Requires such authority to be the sole provider of energy to all state owned and municipal properties;
- Requires certain New York power authority projects and programs pay a prevailing wage and utilize project labor agreements.

S2469 A2655	Energy Efficiency, Equity & Jobs Act	Sen. Parker Asm. Hunter
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The Issue

“New York residents of color and those with low to moderate income pay a disproportionately higher portion of their household income on energy. The homes of many of these individuals and families are often less energy-efficient, meaning that they need to use more energy to heat and cool their homes, which is both more expensive and harmful to the environment.”¹¹

Recommendation

Enact the **Energy Efficiency, Equity & Jobs Act** which will:

- Deploy funding for cost-saving energy efficiency retrofits in low-income communities and communities of color.
- Allow NYSERDA to fund non-energy measures like lead and mold remediation
- Remove barriers to efficiency upgrades in older homes

¹⁰

<https://publicpowerny.org/legislation/#:~:text=The%20Build%20Public%20Renewables%20Act,to%20preserve%20a%20livable%20planet.>

¹¹ <https://sustainablefingerlakes.org/2022/02/28/you-can-help-get-the-energy-efficiency-equity-jobs-act-passed/>

- Ensure workers hired for energy efficiency upgrades come from disadvantaged communities.

S2689 A	Renewable Capitol Act	Sen. Breslin Asm.
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The Issue

“New York State has taken some important steps to remedy the impacts on the local community and the climate of the state facilities on Sheridan Avenue in Albany, but they are failing to fully act in concert with our state’s climate goals. Simply put, New York State is continuing to use fossil fuels to heat, cool, and power the State Capitol and other state buildings in Albany. Given the climate crisis, and the [state’s 2019 Climate Act](#), half measures are not enough.”¹² New York State legislators need to show by example that the Capitol buildings that make up Empire Plaza need to do their part to diminish the climate crisis in New York State.

Recommendation

Enact the **Renewable Capitol Act (2689/....)** which:

- Requires the office of general services, in consultation with the power authority of the state of New York, to ensure that all operations that power, heat or cool the empire state plaza complex shall entirely use renewable energy systems; and
- Requires the office of general services to establish an advisory committee to advise the office of general services on the preparation, design and content of a plan for the use of renewable energy systems.

S 5360	Climate & Community Protection Fund <i>Amount TBD</i>	Sen. Harckham Asm.
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Budget Asks that were not included in Hochul FY 2024 Budget:

- **Invest in Our New York *Amount*:** \$40 Billion in New Public Money to invest in Working-Class Communities
- **A \$2 billion Green Affordable Pre-Electrification (GAP) Fund**, which would address barriers to electrification that are not covered by other programs, such

¹² <https://sharealbany.org/2022/02/19/renewable-capitol-act-introduced/>

as deferred maintenance, hazard remediation, electrical upgrades, weatherization, energy efficiency, and an all-electric replacement for fossil fuel appliances at the end of their useful life.

March 19, 2023